

PL ANNING BOARD MINUTES

January 10, 2007

Board members present:

Art Weber, Chairman Ron Wolanski, Town Planner

John Tucker Frank Holbrook, Town Solicitor

Jan Eckhart, Secretary

Richard Adams

David Lawrence

Colleen Aull

Audrey Rearick

The meeting was called to order at 6:30 pm.

Minutes

The minutes of the December 13, 2006 regular meeting.

Motion by Ms. Rearick, seconded by Ms. Aull to approve the minutes as presented. Vote: 7-0-0

Old Business

1. Public Hearing (continued) - George P. Lewis, Proposed 5-lot minor subdivision & extension of Trout Dr., Plat 125, Lot 935, Preliminary Plan

Mr. Wolanski stated that he had received a phone call from attorney Brian Bardorf. Mr. Bardorf stated that his client, Dr. Lewis, is working

to revise the plan to address the concerns of the Board. A continuance to the February Planning Board meeting was requested. Motion by Ms. Rearick, seconded by Ms. Aull, to continue this matter to the February 14, 2007 regular Planning Board meeting. Vote: 7-0-0.

2. Peter Gallipeau, Saltwood Farm Subdivision, Request for review of the conditions of approval of the Saltwood Farm Subdivision. Bailey Ave./Sachuest Drive - Plat 126, Lot 4.

Mr. Wolanski stated that he had talked with Mr. Gallipeau regarding the status of the Lewis application. Mr. Gallipeau requested that his matter also be continued to the February meeting.

Motion by Ms. Rearick, seconded by Ms. Aull, to continue this matter to the February 14, 2007 regular Planning Board meeting. Vote: 7-0-0.

3. Paradise Realty LLC, Proposed 2-lot Subdivision, Paradise Ave. and Bailey Ave. Plat 120, Lot 77, Request for final approval

Mr. Wolanski stated that the Zoning Board of Review had yet to act the applicants requested for the required special use permit.

Motion by Ms. Rearick, seconded by Ms. Aull, to continue this matter to the February 14, 2007 regular Planning Board meeting. Vote: 7-0-0.

4. Newport Residential Corp., Proposed 2-lot subdivision, Tuckerman Ave., Plat 116, Lot 128, Request for Final Plan approval.

Attorney David Martland represented the applicant. Mr. Martland stated that the Zoning Board of Review had yet to act on his client's request for the necessary zoning relief.

Motion by Ms. Rearick, seconded by Ms. Aull, to continue this matter to the February 14, 2007 regular Planning Board meeting. Vote: 7-0-0.

5. Consideration of proposed Zoning Ordinance amendment to allow

temporary stockpiling of materials and equipment for municipal construction projects in all zoning districts.

Mr. Holbrook distributed a revised version of the draft ordinance. He stated that he would like to have an opportunity to review the ordinance with the Zoning Officer.

Motion by Ms. Rearick, seconded by Ms. Aull, to continue this matter to the February 14, 2007 regular Planning Board meeting. Vote: 7-0-0.

6. Request of the Zoning Board of Review for an advisory recommendation pursuant to Section 1501 of the Zoning Ordinance regarding a request for approval for multi-family residential development – 985 East Main Road, LLC, Request to develop a 36-unit multi-family dwelling project, located at 985 East Main Rd., Plat 118, Lot 20.

Mr. Weber recused himself from the discussion. Vice-chairman Mr. Tucker presided.

Attorney Dave Martland represented the applicant. Mr. Martland stated that his client was continuing to assemble the materials required for review including the development impact statement. A continuance was requested.

Motion by Ms. Rearick, seconded by Ms. Aull, to continue this matter to the February 14, 2007 regular Planning Board meeting. Vote: 6-0-0.

7. Request of the Zoning Board of Review for an advisory recommendation pursuant to Section 1601 of the Zoning Ordinance regarding a request for approval of a proposed 6,100 sq.ft. expansion to an existing shopping center – Middletown Plaza, LLC, located at 898 West Main Rd., Plat 107NW, Lot 55

Attorney David Martland represented the applicant. The applicant, Mr. Bucci, was also present.

Mr. Martland stated that his client has attempted to address the concerns of the abutters raised at the last Planning Board meeting. A shield has been installed on the parking lot light that was a concern of one neighbor. There have been discussions with the management of Home Depot regarding delivery times and the impact on abutters of the noise. The applicant confirmed that deliveries are occurring within the 7am-10pm requirement imposed by the Zoning of Board. There is no restriction regarding the idling of trucks.

Mr. Tucker suggested that a town-wide ordinance regarding idling might be needed. Others suggested that this might be problematic, particularly for trucks carrying perishable goods.

There was discussion of a recommendation by Mr. Wolanski that pedestrian access from West Main Rd. be provided to the shopping center.

Mr. Martland described a solution that would extend an existing sidewalk along west main road into the property. An ADA compliant ramp would be installed. This work would allow access to the center through the parking lot, rather than the driveway, which is the current situation.

The applicant asked that the Board not require a third-party engineering review of the application and impact statement in light of the relatively minor nature of the application.

Motion by Mr. Tucker, seconded by Mr. Adams to waive the third party review of the application and impact statement. Vote 7-0-0

Motion by Mr. Tucker, seconded by Mr. Eckhart, to provide a positive recommendation to the Zoning Board of review on the special use permit application subject to the following condition:

The site plan should be revised to provide for pedestrian access to the shopping center from West Main Rd., including an extension of the side walk along West Main Rd. into the property in the area of the driveway adjacent to Staples.

Vote: 7-0-0

8. Request of the Zoning Board of Review for an advisory recommendation pursuant to Section 1601 of the Zoning Ordinance regarding a request for approval to construct a 15,000 sq.ft. small-scale shopping center – Reed Development Corp., located on property fronting on Aquidneck Ave., Plat 114, Lots 117, 137, 138, & 758

Mr. Lawrence recused himself from the discussion.

Attorney David Martland represented the applicant. He stated that the applicant is continuing to assemble the necessary documentation, including revised plans and the impact statement, to allow for Board review. A continuance to the February Planning Board meeting was requested.

Motion by Ms. Rearick, seconded by Ms. Aull, to continue this matter to the February 14, 2007 regular Planning Board meeting. Vote: 6-0-0.

9. Discussion of the Aquidneck Island Planning Commission West Side Master Plan implementation.

By consensus a subcommittee of the Board was established. The subcommittee will meet at 10am on February 1st to review the items

identified by Teresa Crean of the AIPC for possible inclusion the Middletown Comprehensive Community Plan.

10. Update – Preparation of draft mixed-use zoning ordinance amendment

Mr. Wolanski stated that he had received a draft of the proposed ordinance from Andy Teitz that day. The draft incorporates the conservation development process into the mixed-use district. Mr. Wolanski stated that it was his understanding that there would be two separate ordinances.

By consensus the board requested that the town planning staff review the draft and make changes that it deems necessary. The ordinance(s) should then be submitted to Mr. Teitz for one final review, prior to submission to the Town Solicitor.

11. Update – Atlantic Beach District Master Plan

Mr. Weber stated that the consultant, The Maguire Group, is underway with initial data collection.

Mr. Wolanski was asked to provide the Board members with a copy of the project schedule presented by the Maguire Group.

New Business

12. Mark Horan, Horan Building Company, Request for partial release of performance security and 1-year extension of subdivision approval for the Overlea Farm (Gossetts Turn Rd.) subdivision, Plat 105, Lot 18.

Mr. Wolanski stated that the Town Engineer had not yet provided a recommendation with regard to the requested bond reduction.

Motion by Ms. Aull, seconded by Mr. Eckhart, to continue

consideration of the request for bond reduction to the February 14, 2007 Planning Board meeting. Vote: 7-0-0.

Motion Mr. Eckhart, second by Ms. Aull, to grant a 1-year extension of the subdivision approval. Vote: 7-0-0.

13. Sean Johnson, Request for 90-day extension of the final approval for the Kelley Subdivision, 2-lot Minor Subdivision, Wyatt Rd. (Plat 113, Lot 189).

Motion by Ms. Aull, seconded by Mr. Tucker, to grant the requested 90-day extension of the subdivision approval. Vote: 7-0-0.

14. Additional new business

Mr. Wolanski stated that the Board must recommend members to serve on the Aquidneck Island Planning Commission. By consensus Art Weber, Dick Adams, and Jan Eckhart were recommended to the Town Council to serve on the AIPC Board.

15. Consideration of recommendation to the Town Council to rezone certain Town-owned properties.

Mr. Wolanski stated that the Town Council is about to consider rezoning town-owned properties as recommended by the Planning Board last spring. Since that time additional parcels have been acquired by the Town, and other parcels should be considered for rezoning. Mr. Wolanski referenced his memo to the Board dated December 29, 2006.

The Board considered the list and recommendations for rezoning provided by planning staff.

Motion by Mr. Tucker, seconded by Mr. Eckhart, to provide a positive recommendation to the Town Council on proposed rezoning of

town-owned parcels. Vote: 6-1-0, with Mr. Lawrence voting in opposition.

Motion by Mr. Adams, seconded by Mr. Tucker, to adjourn. Vote: 7-0-0

The meeting adjourned at 7:15pm